

Remarks

This amendment amends the application, the title, the specification and the abstract, cancels claims 9-16, 39 and 41-47, and amends claims 1 and 23. No new matter has been added.

The application and specification have been amended to direct the entry of the sequence listing and to provide the SEQ ID NO's next to the specific sequence. In accordance with 37 C.F.R. § 1.821(g), this submission includes no new matter. In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing is submitted herewith. Also submitted herewith is a Request to Open New Disk File.

The title and the abstract have been amended according to the Examiner's suggestions in connection with the prosecution of the parent application.

Claims 1 and 23 have been amended to recite that the numbering of amino acids is based on SEQ ID NO:1. Support for this amendment can be found at page 7, lines 7-8. It is respectfully submitted that Applicants intention is not to limit amended claim 1 to the 157 amino acid form of basic human fibroblast growth factor, but to make claim 1 more clear.

Claims 1 and 23 have also been amended by including a functional limitation, i.e., "and wherein said mutein, or a biologically active peptide thereof, has improved mitogenic agonist activity over wild-type basic fibroblast growth factor," which finds support, *inter alia*, at page 34 of the specification.

Applicants also submit herewith is a copy of the Declaration from Barry A. Springer, Ph.D. previously filed on October 25, 2000 in connection with the prosecution of the parent application.


Upon entry of the foregoing amendment, claims 1-8, 17-38 and 40 are pending in the application, with claim 1 being the independent claim. As such, no new matter has been introduced into the captioned application.

Applicants respectfully request that this Preliminary Amendment under 37 C.F.R. § 1.112 be entered by the Examiner. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this application is respectfully requested.

Respectfully submitted,

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